
Human Services Committee

HB 2794

Brief Description: Promoting accessible communities for persons with disabilities.

Sponsors: Representatives Wallace, Chase, Sells, Williams, Green, Haigh, Santos and Simpson.

Brief Summary of Bill

- Creates an Accessible Communities Trust Account (Account) to be administered by the Commissioner of the Employment Security Division.
- Establishes the Governor's Committee on Disability Issues and Employment to promote disability awareness.
- Allows counties to establish active Accessible Community Advisory Committees to promote accessible communities.
- Increases traffic infraction penalties for improper use of placards, license plates, or parking spots designated for persons with disabilities to fund the Account.
- Amends the requirements for Local Comprehensive Emergency Plans.

Hearing Date: 1/30/08

Staff: Brian Considine (786-7290).

Background:

County Advisory Committees

Under the state's election law, counties are required to have an advisory committee established to assist election officials in developing a plan to identify and implement changes to improve the accessibility of elections for voters with disabilities.

Special Parking Privilege

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Department of Licensing is required to grant special parking privileges to any person that has a permanent or temporary disability that limits or impairs the ability to walk or involves acute sensitivity to light and meets one of the following criteria, as determined by a licensed physician or an advanced nurse practitioner:

- cannot walk further than 200 feet without stopping to rest;
- is severely limited in the ability to walk due to an arthritic, neurological, or orthopedic condition;
- is so severely disabled that the person cannot walk without an assistive device;
- uses portable oxygen;
- is restricted by lung disease to a particular extent;
- is impaired by cardiovascular disease or cardiac condition to a particular extent;
- has a disability resulting from acute sensitivity to automobile emissions that impairs the ability to walk;
- is legally blind and has limited mobility; or
- has a form of porphyria to the extent that the applicant would significantly benefit from a decrease in exposure to light.

Parking Permits

A permanent parking privilege must be renewed every five years, and a temporary parking privilege must be renewed every six months. If granted a special parking privilege, a person may choose one of the following options:

- up to two blue placards that hang from the rear-view mirror and can be used by any vehicle at the time the vehicle is providing transportation for the individual with disability;
- one set of disabled parking license plates issued to the qualified individual, who must be one of the registered owners of the vehicle;
- one set of disabled parking license plates and one placard; and
- one special disabled parking year tab and one blue placard.

Traffic Infraction Penalties

Any unauthorized use of a special parking permit, parking a vehicle in a space reserved for a person with a physical disability without a placard or special license plate, or making inaccessible the access aisle located next to a space reserved for a person with a physical disability is a \$250 traffic infraction.

Local Comprehensive Emergency Plans (Plan)

Each county, city, and town must establish a local organization for emergency management or join a joint organization of local governments. Each local organization is required to prepare a Plan that must be submitted to the Adjutant General for recommendations and verification of consistency with the State Comprehensive Emergency Management Plan.

Summary of Bill:

Accessible Communities Account (Account)

The Account is created in the custody of the State Treasurer. Appropriation is not required for expenditures from the Account, and only the Commissioner of the Employment Security Department (ESD) may authorize expenditures from the Account.

The ESD may make expenditures for awareness and improved access for and acceptance of persons with disabilities; reimbursement for travel, reasonable accommodation, and meeting expenses for county Accessible Community Advisory Committees (Advisory Committee); establishing and maintaining an Accessible Communities Website; and a grant program to promote greater awareness of disability issues and access for persons with disabilities within the community.

Governor's Committee on Disability and Employment (Governor's Committee)

The Governor's Committee is created to determine eligibility for grants to Advisory Committees. The Governor's Committee can solicit and select proposals from active Advisory Committees for projects to improve disability awareness from the Account. The Governor's Committee will establish an Accessible Communities Website.

Accessible Community Advisory Committees

The bill changes the name of the county advisory committee established under the state's election law to the Accessible Community Advisory Committee and allows counties to receive reimbursement from the Account to promote accessible communities. For the Advisory Committee to receive funding, it must be active. To be considered active, an active Advisory Committee must submit annual assurances to the Governor's committee. Members must be from a diverse range of disabilities who can identify attitudinal, programmatic, and physical barriers encountered by persons with disabilities. Adjacent counties may form joint advisory committees so long as only one county has a population greater than 70,000.

Traffic Infraction Penalties

Penalties for all traffic infractions relating to use of special parking permits or parking spaces are raised from \$250 to \$450, and the additional \$200 per penalty is deposited into the Account.

Local Comprehensive Emergency Plan

By 2010, each Plan must identify and respond to the needs of persons with disabilities in planning for issues surrounding an emergency situation. Each Plan must document the participation of Advisory Committees or other local disability organizations in developing responses to the needs of persons with disabilities in an emergency situation.

Appropriation: None.

Fiscal Note: Requested on January 18, 2008.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.